

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
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ORDER

May 11, 2018

Before

WILLIAM J. BAUER, *Circuit Judge*

No. 18-1774	NATIONAL LABOR RELATIONS BOARD, Petitioner v. NEISES CONSTRUCTION CORPORATION, Respondent
Originating Case Information:	
Agency Case No: 13-CA-210180 National Labor Relations Board	

Upon consideration of the **APPLICATION FOR SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**, filed on April 11, 2018, by counsel for Respondent,

IT IS ORDERED that the motion for summary enforcement is **GRANTED** and the attached judgement is **ENFORCED**.

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

NEISES CONSTRUCTION CORP.

Respondent

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No. 18-1774


Board Case No.:
13-CA-210180

JUDGMENT ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Neises Construction Corp., its officers, agents, successors, and assigns, enforcing its order dated March 29, 2018, in Case No. 13-CA-210180, reported at 366 NLRB No. 52, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Neises Construction Corp., its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).



Judge, United States Court of
Appeals for the Seventh Circuit

NATIONAL LABOR RELATIONS BOARD

v.

NEISES CONSTRUCTION CORP.

ORDER

Neises Construction Corp., Crown Point, Indiana, its officers, agents, successors, and assigns, shall

1. Cease and desist from

- (a) Failing and refusing to recognize and bargain with the Indiana/Kentucky/Ohio Regional Council of Carpenters as the exclusive collective-bargaining representative of the employees in the bargaining unit.
- (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

- (a) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and part-time wall and footer carpenters employed by the Employer working out of its facility located at 1640 East North Street, Crown Point, Indiana; but excluding all other employees, all employees who are currently represented by other labor organizations, managerial employees, professional employees, confidential employees, clerical employees, supervisors, and guards as defined by the Act.

- (b) Within 14 days after service by the Region, post at its facility in Crown Point, Indiana, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 13, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60

consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since October 30, 2017.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 13 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX**NOTICE TO EMPLOYEES**

**POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT fail and refuse to recognize and bargain with the Indiana/Kentucky/Ohio Regional Council of Carpenters (Union) as the exclusive collective-bargaining representative of our employees in the bargaining unit.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain with the Union as the exclusive collective-bargaining representative of our employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and part-time wall and footer carpenters employed by the Employer working out of its facility located at 1640 East North Street, Crown Point, Indiana; but excluding all other employees, all employees who are currently represented by other labor organizations, managerial employees, professional employees, confidential employees, clerical employees, supervisors, and guards as defined by the Act.

NEISES CONSTRUCTION CORP.

The Board's decision can be found at www.nlr.gov/case/13-CA-210180 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

